

REMARKS

This Amendment is responsive to the official action dated December 10, 2008. The claim amendments included herein are merely clarifying amendments and are not meant to change the intended scope of the claims. Thus, the amendments present the rejected claims in better form for consideration on appeal, and they should be entered in due course. Moreover, the amendments are manifest, requiring only a cursory review by the Examiner, thereby providing additional ground for their entry.

Claims 1-8 and 10-19 were pending in the application. In the official action, claims 1-8 and 10-19 were rejected. In this Amendment, claims 1, 4, and 10-19 have been amended. Claims 1-8 and 10-19 thus remain for consideration.

Applicant submits that claims 1-8 and 10-19 are in condition for allowance and requests reconsideration and withdrawal of the rejections in light of the following remarks.

§102 Rejections

Claims 1-8 and 10-19 were rejected under 35 U.S.C. §102(e) as being anticipated by Holtz et al. (US Patent No. 6,760,916).

Applicant respectfully submits that the independent claims (claims 1, 4, and 10-19) are patentable over Holtz.

Applicant's invention as recited in the independent claims is directed toward a transmission apparatus and a reception apparatus. Each of the claims recites that "the style of [a] graphical user interface [is] varied by the reception apparatus according to a viewing history of [a] first content, the viewing history of the first content being stored in the reception apparatus." (Emphasis supplied.) Supporting disclosure for the quoted recitation can be found in the specification at, for example, paragraphs [0296] and [0297].

Holtz does not disclose the quoted recitation. In particular, Applicant notes that Holtz's column 18, lines 56-59 discloses distributing "enhanced media and advertisements over a widely distributed network in response to the actual demands and behavioral patterns of online viewers," and does not disclose varying the style of a graphical user interface at a reception apparatus according to a viewing history that is stored in the reception apparatus. Accordingly, Applicant believes that claims 1, 4, and 10-19 are patentable over Holtz on at least this basis.

Further, since dependent claims inherit the limitations of their respective base claims, Applicant believes that dependent claims 2, 3, and 5-8 are patentable over Holtz for at least the same reasons as discussed in connection with the independent claims.

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited. If any issues remain, or if the Examiner has any further suggestions, the Examiner is invited to telephone the undersigned at (908) 654-5000.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 12-1095.

The Examiner's consideration of this matter is gratefully acknowledged.

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Respectfully submitted,

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